



**Minutes
State Board of Education Meeting
September 15, 2016**

Charles C. Edwards, Jr.
President
Des Moines

Michael L. Knedler
Vice President
Council Bluffs

Brooke Axiotis
Des Moines

Michael Bearden
Gladbrook

Bettie Bolar
Marshalltown

Diane Crookham-Johnson
Oskaloosa

Angela English
Dyersville

Mike May
Spirit Lake

Mary Ellen Miller
Mason City and
Wayne County

Robert Nishimwe
Student Member
Des Moines

Ryan M. Wise
Director and
Executive Officer

The State Board of Education meeting was held on Thursday, September 15, 2016, at the Kirkwood Community College - Jones County Regional Center in Monticello, Iowa. The following State Board members were present: Charlie Edwards, Mike Knedler, Mike Bearden, Mary Ellen Miller, Angela English, Mike May, Bettie Bolar, Diane Crookham-Johnson and Robert Nishimwe. Iowa Department of Education staff members present were: Ryan Wise, David Tilly, Jeff Berger, Jeremy Varner, Barb Burrows, Phil Wise, Shan Seivert, Nicole Proesch, Tom Cooley and Jody Crane. Department staff members joining by telephone included: Marietta Rives, Kelley Rice, Kenda Jochimsen and Larry Bice. Also in attendance were Mick Starcevich, Kristy Black, Lisa Folken, Craig Stadtmueller, Melissa Murphy, Lisa Stadtmueller, Trish Langdon, Chloe Loftus, Jared Greenfield, Sydney Stender, Shay Stephen and Megan Wulfekuhle, Kirkwood Community College; Steve Ovel, Iowa Association of Community College Trustees; Sandy Schmitz, Iowa Reading Research Center; Tim Kuehl, Clear Creek Amana Community School District; Ben Macumber, Anita Reihmann and Heather Hess, Amana Elementary School; Rick Colpitts, Kelly Simon, Renee Wagner, Amanda Klaas, Amy McElmeel and Mark Digmann, Western Dubuque Community School District; Steven Schulz, North Iowa Area Community College and Patrick Rabbitt, Green Hills Area Education Agency (via telephone).

STATE BOARD WORK SESSION

Charlie Edwards welcomed State Board members. Department Director Ryan Wise provided welcoming comments. Wise talked about the location of the meeting and the opportunity for State Board members to tour the Jones County Regional Center (JCRC).

Kirkwood Community College President Mick Starcevich provided welcoming comments and shared background information. He also shared information about educational offerings provided by the JCRC and other regional centers.

Kristy Black, Dean, Regional and County Centers, talked about regional center partnerships.

Starceвич introduced Steve Ovel and Lisa Folken, Director, JCRC. Folken provided comments about the academies offering exposure to career opportunities. She introduced Craig Stadtmueller and talked about his role. Stadtmueller took State Board members on a tour of the JCRC.

A panel of JCRC faculty, students and a high school counselor introduced themselves and shared comments. The student panel members, who are also school ambassadors, talked about what academy they are in, what they are studying and what kind of impact this experience may have on their college or career plans. Panel members included: Melissa Murphy, School Counselor; Lisa Stadtmueller, Academy Instructor; and student members Chloe Loftus, Jared Greenfield, Sydney Stender, Shay Stephen and Megan Wulfekuhle. A student panel member talked about her class schedule.

Black introduced Trish Langdon who talked about the Workplace Learning Connection. Black also recognized Lisa Folken and Craig Stadtmueller for their efforts. In addition, Black talked about the Workforce Training and Development Fund.

Ryan Wise and Charlie Edwards provided comments.

STATE BOARD BUSINESS MEETING

Charlie Edwards called the meeting to order at 10:05 a.m.

It was moved by Mike Knedler and seconded by Angela English that the agenda be approved. The motion carried unanimously.

COMMUNICATION

Public Comment

Phil Wise, Policy Liaison, Division of Policy and Communications, read correspondence from Julia Messersmith Taylor, Linda Fees, Rachael Walck, Nicole Chavas-Schwegler, Sterling Richards, Laurie Ohland, Megan Thorsen, Jane Huss, Deb Powers, Catherine Parmerlee, Randy Daniels, John Stratton and Greg Carenza opposing the Chapter 62 rules.

Director's Report

Ryan Wise commented on the Des Moines Register's article on the Department's annual audit. He indicated that the Department takes annual audits very seriously and talked about what the Department is doing to address the issues. He is confident moving forward the issues will be corrected.

Wise reported on the early literacy initiative and some of the comments received during the public comment portion of the meeting. Specifically, he talked about the problems with the TIER (Tools for Innovation and Educational Results) data system and what's being done to resolve the issues.

There was discussion regarding how FAST (Formative Assessment System for Teachers [the assessment]), TIER (the data system), TIES (Technology and Information Education Services [the vendor]) and IDGIs (Individual Growth and Development Indicators [the elementary level assessment]) are related.

In response to public comment received, Wise commented on the challenges with the FAST and the perception it is about speed reading. He provided additional detail about the screening tool and what it measures. The Department is working on guidance on the retention guidelines.

There was additional discussion regarding the process in reaching out to the people that provided public comment regarding the Chapter 62 rules, opportunities for additional public comment, the decision to hold the September State Board meeting in another location before knowing what items were going to be on the agenda and what FAST measures.

Wise reported that in an effort to gather public input on the Every Student Succeeds Act (ESSA), nine public meetings will be held across the state (September through November). In addition, an ESSA Advisory Committee has been assembled. This committee will provide input on pieces of Iowa's ESSA plan.

Wise shared heartfelt comments about the passing of Mary Delagardelle. He talked about examples of her numerous contributions to the Department, the State Board and to education in Iowa over the course of her 40 plus year career.

CONSENT AGENDA

Diane Crookham-Johnson made a motion and Mike Bearden seconded to approve the consent agenda. The motion passed.

STATE BOARD ACTION/DISCUSSION AGENDA

Rules: Chapter 56 - Iowa Vocational Rehabilitation Services (Notice)

Nicole Proesch, Legal Counsel, Office of the Director, explained the Board's rulemaking authority in this area.

Kelley Rice, Staff Attorney, Division of Vocational Rehabilitation, presented the Chapter 56 rules. These rules govern use of federal and state funds for vocational rehabilitation services to persons with mental or physical disabilities who are seeking to obtain or retain competitive employment. The primary reason for this rulemaking is passage of the Workforce Innovation

and Opportunity Act of 2014, necessitating these changes. The modifications include changes in definitions and other substantive changes.

There was discussion regarding the definition of integrated work setting and the length of the waiting list referenced in the rules.

Motion: Mike May made a motion and Bettie Bolar seconded that the State Board give public notice of its intent to amend Chapter 56 of Iowa Administrative Code.

Vote: There was one opposing vote (Crookham-Johnson). The motion passed.

Rules: Chapter 79 - Standards for Practitioner and Administrator Preparation Programs (Notice)

Nicole Proesch, Phil Wise and Larry Bice, Administrative Consultant, Bureau of Educator Quality, presented the Chapter 79 rules.

The Chapter 79 rules provide the standards and program requirements that all educator preparation programs must meet in order to be accredited by the Board to prepare educators in Iowa. The current standards are in need of updating because of changes to pertinent Iowa Code made during the 2016 legislative session and to remain current with national standards for educator preparation.

The Notice of Intended Action to amend Chapter 79 is meant to update the current standards with the new changes. The State Board has authority to update those standards under Iowa Code section 256.7, subsection 3.

Bice provided an overview of the changes to the Chapter 79 rules.

There was discussion regarding how widely the passing score requirement varies from school to school and the selection process (testing and grade point average).

Motion: Mike Knedler made a motion and Angela English seconded that the State Board give public notice of its intent to amend Chapter 79.

Vote: The motion carried unanimously.

Rules: Chapter 15 - Use of Online Learning and Telecommunications for Instruction by Schools (Notice)

Phil Wise and Nicole Proesch presented the Chapter 15 rules. These rules outline the use of online learning and telecommunications for instruction by schools. The amendment to this chapter is to reflect legislative changes pursuant to Senate File 2200 adopted during the 2016 session of the General Assembly.

Senate File 2200 permits a school district to seek from the Department a one-year waiver from educational standards for an offer and teach subject through an online course that is not available through the Iowa Learning Online (ILO) initiative. To

qualify for such a waiver, the course content must be provided by an Iowa licensed teacher with online learning experience and must be aligned with Iowa content standards.

Motion: Mary Ellen Miller made a motion and Diane Crookham-Johnson seconded that the State Board give public notice of its intent to amend Chapter 15.

Vote: The motion carried unanimously.

Rules: Chapter 49 - Individual Career and Academic Plan (Adopt)

Phil Wise and Jeremy Varner, Administrator, Division of Community Colleges and Workforce Preparation, presented the Chapter 49 rules. The General Assembly, in House File 2392, amended Iowa Code section 279.61. That amended section requires that all school districts develop for each student enrolled in grade eight an individualized career and academic plan, and that such a plan be reviewed and revised each succeeding year until the graduation of that student.

At its June 10, 2016, meeting, the State Board Adopted and Filed Emergency a new Chapter 49. That chapter became effective June 21, 2016. The State Board also gave Notice of Intended Action for a new Chapter 49, thereby providing the public an opportunity for comment on that rulemaking. Based upon a public comment by the Urban Education Network, 281–49.6 (279) is amended in this rule to clarify the process by which a career information and decision-making system is determined to meet the minimum requirement established by the Board.

There was discussion regarding how school districts show compliance.

Motion: Mike May made a motion and Angela English seconded that the State Board adopt a new Chapter 49, Individual Career and Academic Plan.

Vote: The motion carried unanimously.

Rules: Chapter 62 - State Standards for Progression in Reading (Notice)

Phil Wise and David Tilly, Deputy Director, Division of Learning and Results, presented the Chapter 62 rules.

Iowa Code section 279.68, adopted in 2012, deals with student progression toward literacy. That Iowa Code section was amended by the General Assembly in both the 2015 and 2016 legislative sessions. Those amendments necessitate an amendment to Iowa Administrative Code (IAC) chapter 62. This amendment does three things:

First, a district is required to adopt literacy strategies that formally address dyslexia when appropriate. Dyslexia is defined in statute. Second, Chapter 62 is amended to reflect the one-year delay in the implementation of intensive summer literacy programs adopted by the General Assembly in 2016. Third, the term “substantially deficient in reading” in Iowa

Code section 279.68 is changed to the term “persistently at risk in reading” as adopted in House File 2413 (2016).

Wise emphasized that the rules take no substantive policy departure from the existing Chapter 62.

During the public comment section of the Board’s agenda, Wise read eight letters or emails from individuals as part of the public comment on the Noticed rule.

The Board discussed whether or not the letters of concern should have been directed to the General Assembly rather than the Board as the letters tended to not address the changes to Chapter 62 that was before the Board for Notice of Intended Action.

Tilly responded to some of the comments that were included in the letters that were read during the public comment portion of the meeting.

There was discussion regarding how FAST was chosen to be Iowa’s assessment, whether resistance from the field is expected regarding the use of online assessments in light of the recent problems with TIER, communication to the field relating to TIER, whether a district can retain a student based solely on the screening for fluency, who decides on the retention of a student, how the rules will affect English Language Learners, when the retention law goes into effect, examples of what would constitute good cause for a waiver and work of the Iowa Reading Research Center.

Motion: Angela English made a motion and Mike Bearden seconded that the State Board give public notice of its intent to amend Chapter 62.

Vote: The motion carried unanimously.

In re Student A, Good Conduct Violation

Nicole Proesch provided background on *In re Student A, Good Conduct Violation*. Student A is a resident of the Lenox Community School District (LCSD). Student A is a member of the football, wrestling, track and baseball teams at Lenox High School (LHS). Prior to the incident leading to a career suspension, Student A received three other violations of LHS’s Student Good Conduct Policy and served his punishments. The current violation stems from an incident on April 19, 2016, where Student A stole a trophy from the Adams County Speedway, left the speedway, and later returned it with his father. Student A admitted to taking the trophy as a joke, but stated that he did not believe this should be a violation of the Student Good Conduct Policy. Student A was notified that he would be suspended for the remainder of his high school career for a fourth violation of the Student Good Conduct Policy and Student A appealed the decision to the local board. The local board upheld the decision and the decision was appealed to the State Board.

The State Board does not have before it the prior unchallenged violations of the Student Good Conduct Policy and will not deal with those violations. In reviewing the decision of

the local board, it was found that the determination that Student A violated the policy is reasonable and the determination that this is a fourth violation is reasonable.

It was recommended that the State Board affirm the decision of the local board.

Motion: Mike May made a motion and Mary Ellen Miller seconded that the State Board approve the proposed decision affirming the decision of the local board of directors of the Lenox Community School District affirming the administration's decision suspending Student A for the remainder of his high school career from participation in extracurricular activities for a violation of the district's Student Good Conduct Policy.

There was discussion about the need for the Board to think about eligibility requirements in the future.

Vote: The motion carried unanimously.

In re Open Enrollment of E.M.

Nicole Proesch provided background on *In re Open Enrollment of E.M.* E.M. resides in the Ankeny Community School District (ACSD). E.M.'s parents filed an application for open enrollment from the district on May 9, 2016, and indicated that the application was being filed due to pervasive harassment or severe health. Included with the application was a paragraph describing bullying that E.M. had been subjected to. The district received that application and contacted administrators familiar with E.M. to inquire about the allegations. After speaking with several administrators about E.M., district administration concluded that the incidents did not meet the definition of bullying and harassment and advised the Appellants they would make a recommendation to the local board (board) to deny the application. The district offered to transfer E.M. to another attendance center or have E.M. fill out a bullying and harassment complaint so they could investigate.

The issue was placed on the board agenda for June 5, 2016; however, the Appellants were never notified or given an opportunity to be heard at the board meeting. At the board meeting, the board received the recommendation of administration to deny the application, but heard no evidence or testimony regarding the allegations or response. Thus, the board did not apply the criteria outlined by the State Board for incidents of pervasive harassment before making a decision.

In reviewing an open enrollment decision involving a claim of a pervasive harassment under Iowa Code § 282.18(5), the State Board has set out four criteria that all must be met in order to overturn the decision of the board. Here the district failed to apply that criteria to this case. Since the law contemplates that the resident district is in the best position to make a decision about an open enrollment application filed on the basis of pervasive harassment, the board must now review E.M.'s application in light of this criteria.

It was recommended that the State Board reverse and remand the decision of the ACSD with instructions to review the facts of this case in light of State Board criteria.

Proesch reported that the Ankeny board had already accepted the proposed decision and had a hearing with this student. The board made the decision to allow the open enrollment not on the basis of pervasive harassment, but on the basis that they thought it was in the best interest of the student as indicated under Iowa Code § 282.18(5).

Motion: Bettie Bolar made a motion and Mike Knedler seconded that the State Board approve the proposed decision reversing the decision of the local board of directors of the Ankeny Community School District and remanding the case back to the district to decide the case by applying the appropriate legal standards.

There was discussion regarding what would have happened to the student if the ACSD had not followed up, school districts' awareness of Board's actions and meeting with the Iowa Association of School Boards regarding the open enrollment appeals process and bullying and harassment.

Vote: The motion carried unanimously.

North Iowa Area Community College Accreditation Report

Barbara Burrows, Chief, Bureau of Community Colleges, introduced Steven Schulz, President, North Iowa Area Community College (NIACC). NIACC served as a pilot for the new combined accreditation visit and equity review process. Burrows explained the purpose of the pilot and indicated that the equity review report will not go through the State Board, but rather is sent to the Office for Civil Rights.

Burrows presented the NIACC accreditation report and reviewed the Institutional Overview and Institutional Profile.

Schulz talked about unique aspects of NIACC and reviewed the institution's Continuous Improvement efforts.

Positive comments were shared by State Board members about NIACC and Iowa's community colleges.

Motion: Mike Knedler made a motion and Mary Ellen Miller seconded that the State Board grant continued accreditation for NIACC. A state interim accreditation evaluation will be conducted in fiscal year 2021.

Vote: The motion carried unanimously.

Green Hills Area Education Agency Paraeducator Preparation Program Approval

Marietta Rives, Consultant, Bureau of Educator Quality, reminded the Board that the paraeducator preparation program approval is a five-year approval process. This is the beginning of the second five-year rotation for approvals.

Rives trained new certifying officials at Green Hills Area Education Agency. She talked about the role of the certifying officials and indicated that they provided artifacts and evidence for the approval process. She described the process used to communicate with Green Hills and Mississippi Bend to receive the necessary documentation for their paraeducator preparation programs. She plans to use these models moving forward with other paraeducator preparation program approvals across the state.

Rives introduced Patrick Rabbitt, Green Hills Regional Administrator.

After review of the evidence provided, Rives recommended that Green Hills Generalist Level I paraeducator program be approved for an additional five years.

Motion: Bettie Bolar made a motion and Diane Crookham-Johnson seconded that the State Board approve the paraeducator preparation program submitted by Green Hills Area Education Agency. This program approval status will extend through May of 2021.

There was discussion regarding the role of a Generalist Level I and how many class time hours it takes to receive this certification.

Vote: The motion carried unanimously.

Mississippi Bend Area Education Agency Paraeducator Preparation Program Approval

Marietta Rives reported that Julie Larson is the new certifying official at Mississippi Bend AEA. Rives talked about the role of Larson and her staff in providing the necessary documentation and evidence needed to meet the new paraeducator preparation program standards.

Rives reviewed the strengths of Mississippi Bend's paraeducator preparation program.

After review of the evidence provided, Rives recommended that Mississippi Bend's Generalist Level I; Special Needs; Early Childhood; and Library, Media Specialist paraeducator preparation programs be approved for an additional five years.

Motion: Mike May made a motion and Angela English seconded that the State Board approve the paraeducator preparation programs submitted by Mississippi Bend AEA. This program approval status will extend through July 2021.

There was discussion about whether the paraeducator preparation programs are new to Mississippi Bend AEA or if they are a continuation of programs they currently have.

Vote: The motion carried unanimously.

Declining Enrollment Challenges

Charlie Edwards explained the background and purpose of this presentation.

Jeff Berger, Deputy Director, Division of School Finance and Support Services, provided a broad overview of challenges facing smaller school districts.

A PowerPoint was presented that addressed:

- Declining Enrollment
 - Total Districts Under 700, and Under 300 Students
 - District by Size Category
 - Average Percent of Student Loss by Size Category
 - Certified Enrollment vs. Budget Enrollment
- Program Offerings (Courses and Staffing Patterns)
 - Average and Range of (High School) Curriculum Offerings by Size
 - Students per Teacher by Size
- Budget Impact (Revenue Versus Expenditures)
 - Total Revenues Versus Total Expenditures
 - Ratio: Per Pupil Expenditures to Revenues
 - Authorized Budget Range and Average by Size
 - Expenditures/Revenue Ratio Versus Unspent Balance (FY15 Negative Districts)
- Budget Impact (Transportation)
 - Transportation Costs and Percent of Authorized Budget by Size
 - Transportation Cost Per Student
- Budget Impact (Early Warning System and Negative Balances)
 - Early Warning Notices and Negative Districts
 - Negative District Detail
 - Negative Balance Without Categoricals
- Opportunities
 - Future State Board of Education Meeting
 - Opportunities Available to Smaller Schools to Deliver Quality Programming
 - Sharing Opportunities
 - Supports in the System to Help
 - Proactively Addressing the Problem

Deep Dive into Iowa's Early Literacy Initiative with Amana Elementary School

David Tilly, Deputy Director, Division of Learning and Results, provided background on this presentation. Approximately four years ago, Iowa redoubled its commitment to ensuring that every Iowa student becomes a proficient reader by the end of third grade. Much progress has been made in this direction and many school districts have made significant progress in improving early literacy results. This presentation focused on the types of early literacy strategies used to improve K-3 literacy results for all children.

Tim Kuehl, Superintendent, Clear Creek Amana Community School District; introduced Ben Macumber, Principal; Anita Reihmann, Instructional Coach; and Heather Hess, Teacher, Amana Elementary School.

Kuehl provided comments and talked about the district's early literacy efforts; specifically, implementation of professional learning communities and academic interventions.

Amana Elementary School staff shared comments and talked about their school's efforts with early literacy. A Prezi presentation was presented that addressed:

- Culture
- Introductions
- Core
- Interventions
- Professional Resources

There was discussion about what happens when a new student moves into the district, how the district helps struggling readers to find authentic text, collaboration with families, what the most important factors are to change the culture in a school district, the FAST assessment and the importance of quality teachers and administrators.

A document titled *2015-2016 FAST Data Analysis* was distributed. Tilly talked about next steps for literacy.

Deep Dive into Teacher Leadership and Compensation

Ryan Wise reported that the Teacher Leadership and Compensation (TLC) System is at full implementation. All school districts in Iowa are currently implementing a local teacher leadership plan as part of Iowa's \$150 million annual investment in the statewide TLC system. Western Dubuque Community School District (WDCSD) was one of the first 39 school districts to receive approval for its plan and is now in the third year of implementation. This session provided a deep dive into TLC implementation in the WDCSD.

Wise presented a PowerPoint that addressed the following:

- History of TLC
- TLC System
 - Goals
 - Planning Grants
 - Phased-In Entry

- TLC Models
- TLC Application Process
- All Participating Districts
- What We're Hearing – End-of-Year Strengths
- What We're Hearing – End-of-Year Challenges
- TLC Layered Approach for Support

Wise introduced Rick Colpitts, Superintendent, and Kelly Simon, Director, Curriculum and Assessment, WDCSD. Colpitts shared demographic information about the WDCSD. He also talked about the impact TLC has had on teachers and the students. Colpitts introduced WDCSD staff Renee Wagner, Instructional Coach; Amanda Klaas, Instructional Coach; Amy McElmeel, Mentor/Model Teacher; and Mark Digmann, Mentor/Model Teacher at Western Dubuque High School.

Two handouts were distributed titled *Western Dubuque Instructional Coaching Levels: Teacher Leadership and Compensation System*, and *Western Dubuque Instructional Coaching Levels*. A PowerPoint was presented that addressed:

- TLC Roles at WDCSD
 - Instructional Coach
 - Mentor/Model Teacher
 - Professional Development Facilitator
- Partnership
- Know Thy Impact
- Mentoring (Power of Observation, Video, and Reflection)
- If you are among those who believe that it can't be done, then please do not interrupt this classroom as we are currently doing it.
- Not Another Spinning Plate. It's the Way we do Business.

There was discussion regarding how being an instructional coach fits into the teaching profession.

State Board Policy Development Priorities for 2016-2017

Ryan Wise and Jeremy Varner presented the State Board Policy Development Priorities for 2016-2017. A draft copy of the priorities was distributed. Wise recapped discussion that occurred at the June State Board retreat and August State Board meeting regarding development of the priorities. Varner presented information on the priority explicit to community colleges.

Motion: Angela English made a motion and Mike May seconded that the State Board approve the Policy Development Priorities for 2016-2017.

Vote: The motion carried unanimously.

Board Reports

Mike May continues to work on the issue of bullying and harassment. He shared information about a doctoral student's dissertation on implementation of the Iowa Core. While in Monticello, he had an opportunity to visit with people at the high school.

Mary Ellen Miller met with the superintendent of the biggest school in her area and gained insights on what she doesn't know about funding streams. She met with Senator Amy Sinclair and discussed inequities in transportation funding and recognizing there is not new money.

Mike Knedler attended an event in Council Bluffs that focused on increased graduation rates.

Charlie Edwards and Mary Ellen Miller met with Lisa Bartusek, Executive Director, Iowa Association of School Boards, and discussed the State Board's priority on bullying and harassment. He will be meeting with the Register's editorial board to discuss the State Board's priorities, concern with the funding for early childhood literacy, standards and assessment and Smarter Balanced. He will also be meeting with Reaching Higher Iowa to discuss the State Boards' priorities, the role of the State Board and future collaboration.

Mike Bearden met with an adjoining district to assist them with a career readiness program in the high school.

Diane Crookham-Johnson talked about an appeal decision - *In re Expulsion of M.K.* and how, in her opinion, the outcome wasn't right.

Robert Nishimwe talked about a club he is starting at North High School called Core for Advancement. He also commented on sexual harassment cases involving teachers and students and the State Board's role.

Charlie Edwards adjourned the meeting at 3:40 p.m.

Charles C. Edwards, Jr.
President

Ryan M. Wise
Director